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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA

7
8 ROBERT VALLADON, *et al.*,
9 Plaintiffs,
10 v.
11 CITY OF OAKLAND,
12 Defendant.

No. C 06-07478 SI

**ORDER RE: PLAINTIFFS' SCHEDULING
REQUEST**

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14 Plaintiffs have filed a letter brief requesting the Court's intervention in a dispute over the
15 scheduling of depositions. [Docket No. 130] Plaintiffs seek an order (1) moving the hearing on
16 defendant's motions for summary judgment from March 20 to April 24 in order to allow plaintiffs time
17 to conduct depositions before filing their oppositions, (2) ordering defendant to designate a substitute
18 deponent for Peter Fitzsimmons by February 13, 2009 and for the deposition to be completed by March
19 13, 2009, and (3) permitting plaintiffs to subpoena Deborah Taylor-Johnson for a deposition on March
20 17, 2009. The Court rules as follows.

21 Defendant agrees to move the summary judgment hearing to April 10 but does not represent that
22 it would be prejudiced by continuing the hearing another two weeks beyond that date. Plaintiffs' request
23 to move the hearing to April 24 is therefore GRANTED.

24 Plaintiffs have not explained to the Court why an additional deposition of Mr. Fitzsimmons or
25 his replacement is necessary. The Court therefore cannot decide this issue and directs the parties to
26 meet and confer.

27 It appears from defendant's letter brief that defendant does not oppose the issuance of a
28 subpoena as to Ms. Taylor-Johnson. The parties are directed to meet and confer over any remaining

1 dispute on this issue.

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3 **IT IS SO ORDERED.**

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5 Dated: February 17, 2009

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Susan Illston

SUSAN ILLSTON
United States District Judge